



## **Town of Arlington, MA Redevelopment Board**

### **Agenda & Meeting Notice March 7, 2022**

This meeting is being held remotely in accordance with the Governor's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law G.L. c. 30A, Section 20. Per Board Rules and Regulations, public comments will be accepted during the public comment periods designated on the agenda. Written comments may be provided by email to [jraitt@town.arlington.ma.us](mailto:jraitt@town.arlington.ma.us) by March 7, 2022 at 4:00 p.m. The Board requests that correspondence that includes visual information should be provided by March 4, 2022 at 12:00 p.m.

The Arlington Redevelopment Board will meet Monday, March 7, 2022 at 7:30 PM in the  
**Join via Zoom at <https://town-arlington-ma-us.zoom.us/j/84733721863>, Meeting ID: 847 3372 1863, or by calling (646) 876-9923, enter Meeting ID 84733721863, then #.**

#### **1. Warrant Article Public hearings for 2022 Annual Town Meeting**

- 7:30 p.m.
- A brief introductory presentation by petitioners will be provided for each article
  - Board members and members of the public will be provided time to ask questions and comment on each article
  - The public will be provided opportunity to comment on each Article

#### **ARTICLE 38**

##### **ZONING BYLAW AMENDMENT / TWO FAMILY CONSTRUCTION ALLOWED BY RIGHT IN R0 AND R1 RESIDENTIAL ZONES**

To see if the Town will vote to amend Section 5.4 of the Zoning Bylaw by amending definitions and expanding allowable residential uses in the R0 Large Lot Single-Family District and R1 Single-Family District with the goal of diversifying the housing stock; or take any action related thereto.

**(Inserted at the request of Annie LaCourt and ten registered voters)**

#### **ARTICLE 28**

##### **ZONING BYLAW AMENDMENT/ ENHANCED BUSINESS DISTRICTS**

To see if the Town will vote to amend the Zoning Bylaw to update Section 5 DISTRICT REGULATIONS to encourage pedestrian activity, maintain an active street, and limit the amount of ground floor retail space occupied by banks, offices, lobbies, and other non-active uses, when feasible; or take any action related thereto. **(Inserted at the request of the Redevelopment Board)**

#### **ARTICLE 29**

##### **ZONING BYLAW AMENDMENT/ STREET TREES**

To see if the Town will vote to amend the Zoning Bylaw to update Section 2 DEFINITIONS and Section 6 SITE DEVELOPMENT STANDARDS to require street tree plantings for every 25 feet of property facing a street, when feasible; or take any action related thereto. **(Inserted at the request of the Redevelopment Board)**

#### **ARTICLE 30**

##### **ZONING BYLAW AMENDMENT/ SOLAR ENERGY SYSTEMS**

To see if the Town will vote to amend the Zoning Bylaw to update Section 2 DEFINITIONS and Section 6 SITE DEVELOPMENT STANDARDS to allow for and require installation of solar energy systems for buildings subject to Environmental Design Review with certain exceptions; or take any action related thereto. **(Inserted at the request of the Redevelopment Board)**

#### **2. Draft ARB Meeting Schedule May through December 2022**

- 9:30 p.m.      • Board members will review and discuss draft meeting schedule through December 2022.

#### **3. Open Forum**

- 9:40 p.m.      • Except in unusual circumstances, any matter presented for consideration of the Board shall neither be acted upon, nor a decision made the night of the presentation. There is a three-minute time limit to present a concern or request.

#### **4. Adjourn**

Estimated time for adjournment is 10:00 p.m.



## Town of Arlington, Massachusetts

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### Warrant Article Public hearings for 2022 Annual Town Meeting

#### Summary:

7:30 p.m.

- A brief introductory presentation by petitioners will be provided for each article
- Board members and members of the public will be provided time to ask questions and comment on each article
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#### ATTACHMENTS:

Type	File Name	Description
Reference Material	Agenda_Item_1_-_DPCD_Memo_to_ARB_regarding_Articles_38__28__29__30_dated_03-	DPCD Memo to ARB regarding Articles 38, 28, 29,

07-22.pdf

30 dated 3-7-2022

▢ Reference  
Material

Agenda\_Item\_1\_-\_2022\_Two\_Family\_Presentation.pdf

2022 Two Family  
Presentation



**TOWN OF ARLINGTON**  
DEPARTMENT OF PLANNING and  
COMMUNITY DEVELOPMENT

TOWN HALL, 730 MASSACHUSETTS AVENUE  
ARLINGTON, MASSACHUSETTS 02476  
TELEPHONE 781-316-3090

**MEMORANDUM**

To: Arlington Redevelopment Board

From: Jennifer Raitt, Director, Planning and Community Development  
Kelly Lynema, AICP, Assistant Director, Planning and Community Development  
Talia Fox, AICP, ENV SP, Sustainability Manager, Planning and Community Development

Date: March 3, 2022

RE: Review of Warrant Articles 38, 28, 29, and 30 for 2022 Annual Town Meeting

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Staff reviewed the following Warrant Articles to provide the Board with information for further consideration as part of the public hearing and review process. There are two articles with public hearings for the evening of March 7<sup>th</sup>. This memo provides information about each article being reviewed, including any additional information provided by the petitioner, and additional factors for the Board's consideration.

A Warrant Article to amend the Zoning Bylaw has been filed by Annie LaCourt and 10 registered voters:

**Article 38** **ZONING BYLAW AMENDMENT / TWO FAMILY CONSTRUCTION  
ALLOWED BY RIGHT IN R0 AND R1 RESIDENTIAL ZONES**

To see if the Town will vote to amend Section 5.4 of the Zoning Bylaw by amending definitions and expanding allowable residential uses in the R0 Large Lot Single-Family District and R1 Single-Family District with the goal of diversifying the housing stock; or take any action related thereto.

(Inserted at the request of Annie LaCourt and ten registered voters)

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Ms. Lacourt provides the following proposed motion:

Voted, that the Zoning Bylaw of the Town of Arlington be amended as follows:

By making the following changes to the definitions of the R0 and R1 districts in Section 5.4.1(A):

- (1) R0: Large Lot Single-Family Residential District. The Large Lot Single-Family Residential District has the lowest residential density of all districts and is generally served by local streets only. The Town discourages intensive land uses, uses that would detract from the single-family residential character of these neighborhoods, and uses that would otherwise interfere with the intent of this Bylaw.
- (2) R1: Single-Family Residential District. The predominant uses in R1 are single-family, two-family, duplex dwellings, and public land and buildings. The Town discourages intensive land uses, uses that would detract from the single-family residential character of these neighborhoods, and uses that would otherwise interfere with the intent of this Bylaw.

By making the following changes to 5.4.2A. Table of Dimensional and Density Regulations, R District Building Height and Floor Area Ratio Regulations, so that the first line for R0, R1 would read as follows:

**R District Building Height and Floor Area Ratio Regulations (see 5.4.2(B) for exceptions)**

District	Use	Maximum Allowed		
		Maximum Height (ft.)	Maximum Height (stories)	Maximum Floor Area Ratio (FAR)
R0, R1				
	Single Family detached dwelling, <u>two family dwelling, duplex dwelling</u>	35	2 ½	-----

By adding the letter "Y" to the "Use Regulations for Residential Districts" table in Section 5.4.3, in the rows labeled "Two family dwelling, duplex" under the columns labeled "R0" and "R1"; so that the first two columns of said rows read as follows:

**5.4.3 Use Regulations for Residential Districts**

Class of Use	R0	R1	R2	R3	R4	R5	R6	R7
<b>Residential</b>								
Single-family detached dwelling	Y	Y	Y	Y	Y	Y	Y	Y
Six or more single family dwellings on one or more contiguous lots	SP	SP	SP	SP	SP	SP	SP	SP
Two-family dwelling, duplex	<u>Y</u>	<u>Y</u>	Y	Y	Y	Y	Y	Y

**Background**

For Special Town Meeting 2020, Warrant Article 18 *Improving Residential Inclusiveness, Sustainability, and Affordability by Ending Single Family Zoning* was filed by citizen petition. The STM 20 Article and this Warrant Article share one commonality: allowing two-family and duplex dwellings in R0 and R1 Zoning Districts. The Redevelopment Board reviewed and deliberated on the Article. The ARB Recommended Vote of No Action (4 Yes, 1 No) discussing that the ARB believed that the Article could address,

“the racist legacy of single-family zoning in Arlington, improve environmental sustainability, increase housing choice; and allow for more affordable homes. The ARB also believed that it is important for the Town of Arlington to consider the past actions of both the Town and private entities, reflect on those actions, and determine a way to mitigate and reverse those actions. The ARB acknowledged that the Article reflected a larger policy conversation that the town should have and was interested in hearing from Town Meeting Members on this topic after hearing a wide variety of opinions during the course of public dialogues in 2020.”

The ARB expressed concerns about the 2020 Article and ultimately recognized that there is no clear understanding of the impact of similar rezonings due to the recent nature of similar zoning changes in other States. There was also concern about a lack of public engagement regarding the 2020 Article. The ARB made the following suggestions in 2020:

1. Requiring that any two-family or duplex home that is built appears as a single-family home;
2. Codifying certain design requirements to maintain the appearance of a single-family home as well as minimizing changes that may alter the streetscape view; and
3. Capturing the value gained by building two homes versus one home by requiring a percentage payment to a municipal affordable housing trust fund based on the sales price or assessed value.

The staff provide the following additional considerations relevant to this article, a number of which were provided to the ARB in 2020 but have been updated here to reflect January 2022 data from the Town Assessor:

### **Affects Land Use in Low Density Residential Districts (R0 and R1)**

The majority of land in Arlington is zoned for residential use, with 60% of total land area falling within the R0 and R1 Zoning Districts. Of Arlington's land zoned for residential use, 80% is restricted to single-family homes. Arlington has very little undeveloped land within its residential districts: within R0 and R1 districts, 28 parcels are classified by the land use code "Developable" or "Potentially Developable."<sup>1</sup>

The proposed amendment would expand the ability of property owners to create additional housing within these two districts by allowing existing structures to be converted to two-family structures by right. It would also permit structures in R0 and R1 districts to be redeveloped from single-family to two-family homes by right so long as the new development complies with the dimensional requirements of the Zoning Bylaw. Note that the dimensional requirements for each zoning district would remain the same, requiring any additions or new construction to comply with the allowable dimensional requirements for their respective zoning district.

### **Conforming vs. Nonconforming Parcels in the R0 and R1 Zoning Districts**

Single-family homes occupy 93% (504) of the 546 parcels in the R0 district and 89% (6,808) of the 7,635 parcels in the R1 district. In 2021, staff worked with the Town's Director of GIS/Systems Analyst to assess the potential impact of the proposed amendment to allow construction of energy efficient homes on nonconforming lots. Through that analysis and as shown in Table 1 below, it was discovered that approximately 82% of lots in the R0 district and 57% of lots in the R1 district conformed to the minimum lot area and frontage set forth in the zoning bylaw.<sup>2</sup>

<b>Table 1: R0 and R1 Dimensional Requirements<sup>3</sup></b>				
<b>Zoning District</b>	<b>Minimum lot size</b>	<b>Minimum frontage</b>	<b>Conforming lots</b>	<b>Nonconforming lots</b>
R0	9,000 sf	75 feet	82%	18%
R1	6,000 sf	60 feet	57%	43%

This data suggests that approximately 42% of single-family homes in the R0 and R1 could not be demolished and replaced with a two-family home by right unless they also created an energy-efficient foundation per Section 5.4.2(B)(8) of the Zoning Bylaw. Additions to properties on nonconforming lots can only be made after receiving a Special Permit through the Zoning Board of Appeals, which since December of 2020 has incorporated the *Arlington Residential Design Guidelines*<sup>4</sup> into its review process. Additionally, 744 properties in the R0 and R1 districts are subject to Conservation Commission review, and 195 properties in the R1 district are within a local historic district and subject to the Arlington Historic District Commission review process.

### **Potential for Replacement or Redevelopment of Single-Family Structures**

In the *Report on Demolitions and Replacement Homes*,<sup>5</sup> DPCD identified two conditions that have led to the demolition and replacement of homes in the last decade: structures located on lots large enough to be subdivided, and older, smaller properties that often do not meet modern owners' lifestyle

<sup>1</sup> Arlington Assessor data, pulled 1/4/2022.

<sup>2</sup> Undeveloped, or 0-lots, were not included in this analysis.

<sup>3</sup> Note that the analysis conducted in 2021 included nonresidential parcels (e.g., schools, churches), however because the median lot size of nonresidential parcels in the R0 and R1 district is 29,387 square feet it is statistically likely that most nonresidential parcels are conforming.

<sup>4</sup> Arlington Residential Design Guidelines (2020), available at

<https://www.arlingtonma.gov/home/showpublisheddocument/54518/637472609831970000>

<sup>5</sup> DPCD Report on Demolitions and Replacement Homes, pg. 24.

preferences. The analysis determined that there are a limited number of lots that could be subdivided by right (81 total in the R0 and R1 zoning districts).

Staff then identified smaller, older single-family homes where there is an incentive for an owner to tear down a small home and replace it with one that maximizes the available square footage within the zoning restriction. Using 1980 as a threshold for structure age, 1,500 square feet finished area as a threshold size,<sup>6</sup> and the minimum required lot sizes for each zoning district, staff identified 690 homes that meet these thresholds. A second analysis was run using the Department of Housing and Community Development (DHCD) definition of a “starter” home, which per DHCD standards is less than or equal to 1,850 square feet. A breakdown of relevant datapoints for those homes is included in table 3 below.

	All Homes		Older, Smaller Homes on min. area or larger lots		Older, “Starter” Homes on min. area or larger lots	
	R0	R1	R0	R1	R0	R1
Total	504	6,808	7	683	34	1,527
Median year built	1954	1940	1953	1948	1953	1950
Median square footage	2,691	1,860	1,440	1,317	1,655	1,536
Median assessed value	\$1,006,400	\$781,700	\$738,700	\$686,000	\$805,550	\$716,300
Median land value	\$525,450	\$446,000	\$530,500	\$448,400	\$514,200	\$451,500
Land value as a proportion of total value	52%	57%	72%	65%	64%	63%

These homes represent a small portion of properties in the R0 district (1.4%), and a slightly larger proportion of properties in the R1 district (10%). These proportions may be slightly higher than actual, as properties with nonconforming frontage were not included in the analysis. There is potential for smaller, older homes to be replaced with new two-family structures under the proposed amendment, especially where the ratio of land to total value of a property is high. However, the factors that lead to these homes being considered desirable for replacement is not a new consideration that would be introduced by the proposed amendment; such properties can and sometimes are redeveloped as single-family structures under Arlington’s current zoning.

### **Current Rates of Demolition and Large Additions**

Between 2010 and 2022, 322 permits were issued in Arlington for substantial residential construction projects in Arlington’s low-density zoning districts: 261 for demolitions and 61 for major renovations. On average, 27 permit applications were filed each year. During the same twelve-year period, 67 permit applications were processed for demolition permits to replace a single-family home with a two-family home in the R2 district, a rate of six converted properties a year.

### **Real Estate Turnover and Sales Prices in Arlington**

The ability to demolish and replace single-family structures with new single or two-family structures is limited by several factors. First, as outlined above, existing nonconformities and review processes serve as barriers to simple, by right, redevelopment, either lengthening the process or deterring redevelopment of those properties entirely. Second, Arlington property owners tend to stay in their homes for many years. Data from an analysis of Assessor’s records for properties that were demolished or substantially renovated

<sup>6</sup> 1,500 square feet was selected as a threshold as it is roughly half of the average square footage of newly constructed homes in the R1 zoning district.



between 2010 and 2020 reveals that the median tenure of the resident who owned a home prior to the purchaser who ultimately demolished or renovated it was 23 years. The middle 50% of sellers lived in their home between 12 to 40 years. Third, turnover of homes in Arlington's real estate market is low. According to Multiple Listing Service (MLS) data, the median number of single-family homes sold each year in Arlington is 277.<sup>7</sup>

Home sales exceeded this median only slightly in 2021, with 296 single-family homes sold. Below are data on sales prices by zoning district; single-family home sales are shown for the R0 and R1 districts, while data on condo sales is shown for the R2 district.

<b>Table 3: 2021 Home Sales: Reported in Assessor Data</b>					
<b>Zoning District</b>	<b># Sales (2021)</b>	<b>Med. Sale Price (2021)</b>	<b>Med. Assessed Value (2022)</b>	<b>Med. Year Built</b>	<b>Med. sf</b>
R0	35	\$1,300,000	\$1,116,100	1952 (2 built since 2015)	2,687 sf
R1	261	\$905,000	\$757,400	1939 (3 built since 2015)	1,833 sf
R2	154	\$746,500	\$683,700	1923 (2 built since 2015)	1,607 sf

### **Two Family and Multi Family Homes in the R0 and R1 Zoning Districts**

Two-family and multi-family homes are currently in the R0 and R1 zoning today, although they are considered nonconforming uses. Within the R0 and R1 districts there are approximately 180 condominiums, 194 two-family homes, seven three-family buildings, ten multi-family buildings of four or more apartments, and four properties with multiple houses on one parcel (for example, a single- and a two-family building on one parcel). The majority of these buildings are in the R1 district.

### **Consistency with the Master Plan and Fair Housing Action Plan**

Two of the stated goals of the Master Plan are to provide a variety of housing options for a range of incomes, ages, family size, and needs and to preserve the "streetcar suburb" character of Arlington's residential neighborhoods.<sup>8</sup> While this amendment would not generate housing affordable to households making 80% of Area Median Income (AMI) or less, it has the potential to result in greater housing choice for middle income households. The proposed amendment does not seek to alter the dimensional requirements of the R0 or R1 zoning districts, thereby ensuring that additions, new construction, or conversions from single-family to two-family housing would be equally consistent with surrounding homes in a neighborhood as new single-family construction.

The proposed amendment is also consistent with Strategy C of the Fair Housing Action Plan, which recommends reforming the Zoning Bylaw to encourage development that increases fair housing choice. Two actions listed under this strategy are to "allow two-family development by right in nominally single-family districts where two-family dwellings were historically commonplace," and to "explore zoning amendments that would allow two- and three-family homes in single-family districts where the total building size is similar to that of abutting single-family homes."

<sup>7</sup> MLS Total Sold Market Statistics reports for years 2000, 2005, 2010, 2015, and 2018 run by Steve McKenna of The Home Advantage Team on 1/10/2019 and reported in the *Report on Demolition and Replacement Homes*.

<sup>8</sup> Arlington Master Plan: Your Town, Your Future (2015), pg. 77

## Article 28

## ZONING BYLAW AMENDMENT/ ENHANCED BUSINESS DISTRICTS

To see if the Town will vote to amend the Zoning Bylaw to update Section 5 DISTRICT REGULATIONS to encourage pedestrian activity, maintain an active street, and limit the amount of ground floor retail space occupied by banks, offices, lobbies, and other non-active uses, when feasible; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

### Background

The staff provide the following additional considerations relevant to this article:

- **Applicability of proposed amendment:** This amendment applies to the 353 properties within the Business Zoning Districts (B1, B2, B2A, B3, B4, and B5) with frontage along Massachusetts Ave or Broadway<sup>9</sup>. The ARB reviews approximately ten proposals annually regarding redevelopment of properties and signage, however this amendment would apply only to new development and redeveloped properties. In many reviews, the ARB talks about strategies for activating the public realm or reducing the area of ground floor space dedicated to inactive uses. The proposed amendment would codify the goals, applicability, and requirements for encouraging more active uses at the level of the street, providing clarity around the requirements for both the ARB and applicants.
- **Follows the Industrial Zoning District requirements approved by 2021 Annual Town Meeting:** This amendment applies a modified version of the “Transparency and Access” development standard for Industrial Districts under Section 5.6.2(D)(3) of the Zoning Bylaw to the Business Districts. The first four standards addressing transparency, façade articulation, and building entries are consistent with the standards for the Industrial Districts, however they have been adjusted to require slightly greater transparency (60% compared to 50% in the Industrial Districts) and more frequent façade articulation (a minimum of 30 feet compared to 50 to 80 feet) to cultivate a slightly higher standard for activation as is appropriate for commercial areas.
- **Complies with regional and national recommendations:** Regional and national standards for ground floor activation were consulted in developing the amendments. For example, the Congress for New Urbanism (CNU) notes that blank walls greater than 30 feet in length are detrimental to the vibrancy of main streets and downtowns<sup>10</sup>. While façade articulation at a minimum of 50 to 80 feet is appropriate for the Industrial District, façades along Arlington’s commercial districts are substantially shorter. For example, the façade at 190 Mass Ave (formerly Adventure Pub) is just under 25 feet, and the façade of the dual storefront at 474 and 476 Mass Ave (U Sushi Café and a vacant storefront) is 32 feet. Restaurants, such as Acitrón Cocina at 475 Mass Ave and the former Not Your Average Joes at 645 Mass Ave have 54 and 64 a foot façade, respectively.

Regarding limiting the size and improving the visibility of lobbies, staff looked to Boston-region municipalities with areas of mixed-use development to understand how other communities have addressed lobby access to upper floor uses in their zoning. The proposed language, which places non-dimensional limits on the size of lobby areas on the ground floor to preserve more space for active uses, has been adapted from Somerville’s zoning ordinance.

<sup>9</sup> Note that 97 of these properties are condominiums and unlikely to be resold or redeveloped as a group; leaving 256 properties subject

<sup>10</sup> CNU, “A Handbook for Improved Neighborhoods”, 2020-2021, available at <https://www.cnu.org/sites/default/files/AARP-CNU-Enabling-Better-Places-12220si.pdf>

- **Consistency with the Master Plan and the Arlington Heights Neighborhood Action Plan:** The Master Plan recommends implementation of the Koff Commercial Center Revitalization Report, which indicates that the zoning bylaw should be revised to support desired and appropriate building placement, form, scale, density, and mix of uses<sup>11</sup>. The Warrant Article appears to be consistent with this goal.

## Amend SECTION 5.5.2:<sup>12</sup>

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### 5.5.2(B) Development Standards

- (1) **Purpose.** The purpose of this Section 5.5.2(B) is to encourage pedestrian activity, maintain an active street, and limit the amount of ground floor space occupied by banks, offices, lobbies, and other non-active uses.
- (2) **Applicability.** In the Business Districts, new construction, additions over 50% of the existing footprint, or redevelopment with frontage on Massachusetts Avenue or Broadway subject to review by the Arlington Redevelopment Board shall be governed by all regulations of this Section as well as all other applicable provisions of this Bylaw. to provide the following:
- (3) **Administration.** This Section 5.5.2(B) shall be administered subject to Section 3.4, Environmental Design Review Special Permit by the Arlington Redevelopment Board.

#### (4) Standards

**Transparency and access.** In the Business Districts, the following requirements apply to all new construction, additions over 50% of the existing footprint, or redevelopment:

- The required minimum transparency of the ground floor principal façade visible from a public right-of-way is 60% of the area measured between 2 and 8 feet in height from the level of the finished sidewalk.
- All façades visible from a public right-of-way shall be given equal treatment in terms of architectural detailing. No blank façades are permitted. Façades shall be articulated a minimum of every 30 feet.
- Each ground floor storefront in a building shall have a clearly defined primary entrance that faces the principal street. A corner door may be used for a building that faces two public streets.
- The primary building entry shall be connected by an accessible surface to the public sidewalk.
- Lobby entrances for upper story uses should be optimally located, well defined, and clearly visible, and separate from the entrance for other ground floor uses. Buildings should use any combination of articulation, a double-height ceiling, a distinctive doorway, a change in wall material, a change in paving material within the frontage area, or other architectural element(s) to make lobbies visually and materially distinctive. Lobby entrances for upper story uses may be located on a side or rear façade of a building.
- Lobbies should be limited in both width and total area to preserve floor space and façade frontage for other ground floor uses.
- Existing commercial spaces with frontage exceeding the above dimensional requirements are exempt.

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<sup>11</sup> Arlington Master Plan: Your Town, Your Future, 2015, pg. 107

<sup>12</sup> Highlighted text indicates changes from the 2022 Annual Town Meeting Draft Zoning Bylaw Amendments published on February 17, 2022.

## ARTICLE 29

## ZONING BYLAW AMENDMENT/ STREET TREES

To see if the Town will vote to amend the Zoning Bylaw to update Section 2 DEFINITIONS and Section 6 SITE DEVELOPMENT STANDARDS to require street tree plantings for every 25 feet of property facing a street, when feasible; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

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### Background

The staff provide the following additional considerations relevant to this article:

- **Applicability of proposed amendment:** This amendment applies to the 353 properties within the Business Zoning Districts (B1, B2, B2A, B3, B4, and B5) with frontage along Massachusetts Ave or Broadway<sup>13</sup>. The ARB reviews approximately ten proposals annually regarding redevelopment of properties and signage, however this amendment applies only to new development and redeveloped properties. In recent years, members of the Board have raised concerns about a lack of public shade trees along the public right of way fronting these properties. The proposed amendment would codify the goals, applicability, and requirements for providing public shade trees, thereby clarifying the requirements both for the Board and applicants.

- **Current regulations around street trees**

Article 16: Tree Protection and Preservation of the Town Bylaws states:

“The preservation of the tree canopy and planting of replacement trees is essential to preserving the character and aesthetic appearance of the Town and maintaining quality of life and the environment in the Town. Trees improve air quality, protect from heat and glare, reduce noise pollution, limit topsoil erosion and stormwater runoff, provide natural flood control, enhance property values, contribute to the distinct character of neighborhoods, and offer natural privacy to neighbors.”

The bylaw goes on to describe the Town’s procedures and requirements for the preservation of trees, noting that the Arlington Redevelopment Board may waive the requirements of the bylaw for sites under its jurisdiction where the waiver serves the interest of the community.

Notably, Article 16 applies only to trees located on private property. The Department of Public Works (DPW), operating through the Tree Warden, maintains an inventory of public trees and plants 200 to 300 new street trees annually. Some are replacements of dead or diseased trees; however, the majority are trees planted with the goal of increasing Arlington’s public shade tree canopy.

Along the commercial corridors, there is limited area for trees to be planted inland of the right of way, or on private property. Combined with the Town’s expressed interest in improving streetscape conditions and the ARB’s recent requests for applicants to incorporate public shade trees into their redevelopment proposals, the amendment supplements DPW’s tree planting efforts by requiring applicants to incorporate public shade trees into their landscaping strategies.

- **Local and regional precedent for street tree requirement:** The amendment reflects the Industrial Zoning District amendments as adopted by 2021 Annual Town Meeting, with the exception that it requires a slightly tighter spacing of public shade trees (every 25 feet in

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<sup>13</sup> Note that 97 of these properties are condominiums and unlikely to be resold or redeveloped as a group, leaving 256 properties subject

comparison with the requirement in Section 5.6.2(B)(5) for 35-foot spacing). Many zoning bylaws and ordinances throughout the Commonwealth require the provision of public shade trees as part of development or redevelopment in commercial areas. The proposed amendment follows the standards established in other communities, as well as standards implemented by the Tree Warden, Tree Committee, and Conservation Commission, including requirements regarding tree placement, size, type, and maintenance.

- **Amendment details**

The amendment establishes minimum standards for newly planted trees, including a requirement to select trees from a list approved by the Arlington Tree Warden, who with the Arlington Tree Committee maintains such a list. Additional standards are provided regarding tree height and caliper, as well where new plantings should be located and the appropriate distance between public shade trees. The amendment includes provisions to ensure that newly planted trees are maintained in compliance with the American Standard for Nursery Stock; This standard is consistent with requirements of the Arlington Conservation Commission.

A 25-foot spacing is the general standard for spacing of public shade trees. The amendment describes situations in which the ARB may provide some flexibility, such as instances where a planting would present a significant curbside barrier or conflict with sidewalk width requirements of the Americans with Disabilities Act (ADA).

The proposed amendment exempts applicants who are seeking minor renovations or sign approvals. Properties where there are presently sufficient shade trees to meet the stated requirement are also exempt. Finally, the amendment grants the Board the flexibility to relax the standards should other physical barriers prevent plantings at the required spacing.

- **Consistency with the Master Plan:** The Master Plan states that in addition to environmental and public health benefits, trees have a significant impact on the quality of the pedestrian's experience in Arlington's commercial centers and neighborhoods. This amendment supports the Master Plan goal of addressing street tree problems, including replacement of trees lost due to age, storms, and failed survival of newly planted trees<sup>14</sup>. It also coordinates tree care between the Town and property owners.

## **Amend SECTION 2:**<sup>15</sup>

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Public Shade Tree: A tree planted within the furnishing zone of a **sidewalk public right of way** as an element of a thoroughfare consistent with [G.L.c. 87, § 1](#).

## **Amend SECTION 6:**

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### **6.3 PUBLIC SHADE TREES**

#### **6.3.1 Purpose**

The purpose of this Section 6.3 is to:

- A. Provide for adequate **public** shade tree coverage along Arlington's main corridors;
- B. Implement carbon neutral policies of the Town of Arlington;
- C. Address heat island effects emanating from Arlington's main corridors;

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<sup>14</sup> Arlington Master Plan: Your Town, Your Future (2015), pg. 191.

<sup>15</sup> Highlighted text indicates changes from the 2022 Annual Town Meeting Draft Zoning Bylaw Amendments published on February 17, 2022.

D. Enhance public health and walkability with proper shading.

6.3.2 Applicability

In the Business Districts, new construction, additions over 50% of the existing footprint, or redevelopment with frontage on Massachusetts Avenue or Broadway subject to review by the Arlington Redevelopment Board shall provide one public shade tree every 25 linear feet of lot frontage along the public right of way.

6.3.3 Administration

- A. This Section 6.3 shall be administered subject to Section 3.4, Environmental Design Review Special Permit by the Arlington Redevelopment Board.
- B. After the effective date of this Bylaw, public shade trees shall be provided for any applicable use noted above and subject to Section 3.4, Environmental Design Review and in accordance with the Standards established in this Section.

6.3.4 Standards

- A. Street trees shall be planted within existing and proposed planting strips, and in sidewalk tree wells on streets without planting strips.
- B. Trees shall be selected from the approved tree list set forth by the Tree Committee and approved by the Tree Warden.
- C. When planted, trees must be a minimum height of ten (10) feet or two (2) inches in caliper.
- D. All new trees shall be maintained in accordance with American Standard for Nursery Stock standards for a period of no less than 36 months from the date of planting. Properties in which there are preexisting public shade trees at the required spacing along the public right of way are exempt.
- E. Where there is no other suitable location within the right of way, shade trees may be proposed in locations within the lot, or in exceptional circumstances, the Arlington Redevelopment Board may allow the owner to make a financial contribution to the Arlington Tree Fund.

The Arlington Redevelopment Board may grant an increase in spacing between plantings where a new planting would conflict with existing trees, retaining walls, utilities, and similar physical barriers, or other curbside uses.

6.3.5 Computation

When computation of the number of public shade trees results in a fractional number, any result of 0.5 or more shall be rounded up to the next consecutive whole number. Any fractional result of less than 0.5 may be rounded down to the previous consecutive whole number. The Arlington Redevelopment Board may allow the owner to make a financial contribution to the Arlington Tree Fund in an amount equivalent to the full and fair market value of the additional whole tree.

## ARTICLE 30

## ZONING BYLAW AMENDMENT/ SOLAR ENERGY SYSTEMS

To see if the Town will vote to amend the Zoning Bylaw to update Section 2 DEFINITIONS and Section 6 SITE DEVELOPMENT STANDARDS to allow for and require installation of solar energy systems for buildings subject to Environmental Design Review with certain exceptions; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

### Background

In 2017, the Town hired RKG Associates to work with the Department of Planning and Community Development (DPCD) and the Zoning Recodification Working Group to update the Master Plan's Zoning Audit and provide a pathway to recodifying the Zoning Bylaw. The new audit included the identification of a gap in Arlington's Zoning Bylaw: the exclusion of defining and providing standards for solar facilities. At that time, only ground mounted solar facilities were allowed in the Industrial Zoning District. The main task of recodification was completed in 2018 with additional, substantive zoning amendments occurring in 2019 through 2021. The 2021 Zoning Bylaw amendments included adding new Industrial Uses and standards to Industrial Zoning Districts, including requirements for solar facilities. In 2021, the Net Zero Action Plan was endorsed by the Select Board. The plan includes strategies to encourage solar-ready and solar facility installation throughout Arlington. Following discussions with the Zoning Bylaw Working Group and members of the Clean Energy Future Task Force in fall 2021 and early 2022, the ARB agreed to advance these amendments to Town Meeting to define solar facilities and establish clear site development standards for locating them.

The staff provides the following additional considerations relevant to this article:

- **The Zoning Bylaw's current rules for solar facilities and relationship to the Arlington Master Plan:** Arlington's Master Plan reiterates the Town's commitment to sustainability, energy efficiency, and natural resource protection. While the Master Plan does not explicitly address the goal of this Article to reduce greenhouse gas (GHG) emissions in Arlington, the proposed amendment is consistent with specific recommendations to protect natural resources (by reducing pollution) and preserve open space (by promoting rooftop versus ground-mounted solar).

As part of Arlington's Zoning Recodification, the Town's Zoning Recodification Working Group requested a memorandum from consultants RKG Associates, Inc. to comment on Arlington's Zoning Bylaw. The 2017 memorandum notes missing provisions related to solar facilities in the Zoning Bylaw.<sup>16</sup> The Zoning Audit completed as part of the 2015 Master Plan (Appendix I)<sup>17</sup> also recommends that the "ZBL should address...use of alternative energy sources." Until 2021, solar facilities in Arlington's Zoning Bylaw were referenced only via the allowance by-right of ground-mounted solar installations in the Industrial District, an amendment approved by Town Meeting in 2010<sup>18</sup> to enable the Town's designation as a Green Community under the Massachusetts Department of Energy Resources (DOER) Green Community Designation and Grant Program.

In 2021, Town Meeting approved the addition of Section 5.6.2(D)(1) of the Zoning Bylaw, Renewable Energy Installations, as part of Development Standards applicable to new development or additions over 50% of the existing building footprint in the Industrial District.<sup>19</sup>

<sup>16</sup> RKG Associates, Inc., *Annotated RKG Zoning Assessment*, 2017, <https://www.arlingtonma.gov/home/showpublisheddocument/38949/636433192143130000>

<sup>17</sup> RKG Associates, Inc., *Arlington Master Plan Appendix I: Zoning Audit*, 2014, <https://www.arlingtonma.gov/home/showpublisheddocument/28453/635883794519700000>

<sup>18</sup> Town of Arlington Town Meeting, *2010 Annual TM Votes by Article*, 2010, <https://www.arlingtonma.gov/home/showpublisheddocument/25014/635663482905270000>

<sup>19</sup> Arlington Town Meeting, *Arlington Annual Town Meeting Summary of Votes*, 2021, <https://www.arlingtonma.gov/home/showpublisheddocument/56166/637583307905870000>



The Standards provide flexibility to the Redevelopment Board to allow height and setback adjustments to accommodate solar photovoltaic and solar thermal systems. The Standards also require that all new commercial and mixed-use buildings in the Industrial District be solar ready, and that additions over 50% of the existing footprint be solar ready “to the extent feasible.”

Solar energy systems are neither required nor explicitly encouraged in other Zoning Districts. These systems are also not prohibited and simply require a building permit for installations. If located in an Historic District, additional design guidelines apply prior to issuance of a Certificate of Appropriateness.

- **Consistency with Arlington’s Net Zero Action Plan** – The Net Zero Action Plan, adopted by the Arlington Select Board in 2021, is a roadmap for Arlington to achieve net zero greenhouse gas (GHG) emissions by 2050. To this end, priority measure Net Zero Buildings (NZB) 11 within the Net Zero Action Plan specifies: “Require all new commercial buildings and multi-family buildings above a certain number of units to include solar PV [photovoltaic] and/or solar thermal (or be “solar ready”) on a minimum of 50 percent of roof area.” The Net Zero Action Plan also states that “solar PV and/or solar thermal can be a cost-effective, zero-carbon energy solution on new commercial and multi-family buildings and will help reduce emissions from new buildings in Arlington.”

Further, the Net Zero Action Plan “calls for every building in Arlington to be a net zero energy capable building by 2050” and “encourages those buildings that are able to... become a ‘plus energy’ building” by 2050. A net zero energy building produces enough energy onsite to match its annual energy consumption. A plus energy building produces more energy than it consumes. The Net Zero Action Plan also specifies that “each building has a goal of reducing its energy consumption to a level where the needed annual energy could be generated on site if the building had a suitable southern exposure for solar panels.” Achieving this goal implies that all suitable rooftops in Arlington, an estimated 75% of roofs or 9,000 roofs,<sup>20</sup> will need to have a solar energy system by 2050. The Net Zero Action Plan’s broader goal of net zero emissions by 2050 relies on “all Arlington buildings [becoming] net zero emissions buildings by 2050,” meaning that more than 400 buildings per year for 30 years will need to be converted to a zero-emission building.

- **Consistency with State GHG reduction and rooftop solar deployment goals** – In March 2021, Governor Baker signed into law Senate Bill 9 - *An Act Creating a Next Generation Roadmap for Massachusetts Climate Policy*.<sup>21</sup> This law commits the State to achieving net zero GHG emissions by 2050 and authorizes the Secretary of Energy and Environmental Affairs (EEA) to set interim GHG reduction targets of at least 50% by 2030 and 75% by 2040 (below the 1990 baseline). The analysis supporting the law, documented in the Massachusetts 2050 Decarbonization Roadmap,<sup>22</sup> assumes significant market penetration of solar photovoltaic (PV): 25%-30% of electricity generation across all modeled zero carbon scenarios.<sup>23</sup> While rooftop solar PV represents varying portions of this sub-total, the study also notes the land-use benefits of pursuing aggressive rooftop solar development versus ground-mounted solar, which has the potential to displace natural resources that act as carbon-sinks. The study’s baseline case contains several assumptions, including the presence of solar installations on 1-in-3 roofs across Massachusetts by 2050 (representing an approximate tripling of energy from rooftop solar

<sup>20</sup> Google Project Sunroof, *Estimated rooftop solar potential of Arlington, MA*, Accessed March 1, 2022, [https://sunroof.withgoogle.com/data-explorer/place/ChIJ\\_RJa6UB244kRCPI23SYipkU/](https://sunroof.withgoogle.com/data-explorer/place/ChIJ_RJa6UB244kRCPI23SYipkU/)

<sup>21</sup> Press Office of Governor Charlie Baker and Lt. Governor Karyn Polito, *Governor Baker Signs Climate Legislation to Reduce Greenhouse Gas Emissions, Protect Environmental Justice Communities*, 2021, <https://www.mass.gov/news/governor-baker-signs-climate-legislation-to-reduce-greenhouse-gas-emissions-protect-environmental-justice-communities>

<sup>22</sup> Executive Office of Energy and Environmental Affairs, *MA Decarbonization Roadmap*, 2021, <https://www.mass.gov/info-details/ma-decarbonization-roadmap#final-reports->

<sup>23</sup> Evolved Energy Research, *Energy Pathways to Deep Decarbonization: A Technical Report of the Massachusetts 2050 Decarbonization Roadmap Study*, 2020, <https://www.mass.gov/doc/energy-pathways-for-deep-decarbonization-report/download>



compared to today), as well as future regional hydroelectric and wind resources providing a significant amount of additional clean energy capacity.

- **Applicability of and potential impact of amendment** – This Article seeks to require solar energy systems for structures subject to the Town’s existing Environmental Design Review (EDR) process. The requirements do not apply to: structures undergoing EDR that do not have appropriate solar exposure (due to orientation or shading) or sufficient load capacity; buildings in a Historic District, as determined by Historic District Commission certificate denial; EDR applications for changes of use, façade alterations not impacting architectural integrity, outdoor uses, temporary signage, sign approval; and religious, non-profit educational, and childcare facilities, where inconsistent with reasonable regulation.

Given the applicability of the amendment, the Town estimates that three to five buildings would be subject to this solar requirement on an annual basis. The median cost of a solar installation from 2017-2019 in Arlington ranged from \$24,000-\$30,000, before incentives (calculated based on the median \$/watt and median kW of all installations in the 02474 and 02476 zip codes).<sup>24</sup> The total cost of an installation will depend on the size of the system on a given rooftop. The solar payback period in Massachusetts is approximately 7 years, on average.<sup>25</sup>

Beyond a direct purchase, there are various financing options for owners to install solar energy systems. These include loans, solar leasing, and power purchase agreements (PPA) and could enable an owner to install solar with little or no upfront cost.<sup>26</sup> These models are a common solution for owners who may not have the capital to purchase a system outright. The Town itself leverages a 20-year PPA for six installations on the Arlington Public Schools, and several commercial buildings in Arlington, including the Cambridge Savings Bank and Mirak Hundai Service Center, have already used solar financing to install solar at scale. Solar developers typically offer “turnkey installation,” including the price of assessment, design, and installation.

If an owner directly purchases the solar energy system, incentives are available to offset costs of solar installation over the lifetime of the system. Applicability will depend on the nature of the development under review. Incentives for which non-residential properties are eligible include the commercial Federal Investment Tax Credit (ITC) of 26% (decreases to 22% in 2023 and 10% in 2026); accelerated depreciation—a tax deduction available to those taking the commercial ITC;<sup>27</sup> and the Solar Massachusetts Renewable Target (SMART), through which ratepayers earn a fixed rate per kWh of solar produced; and net metering options through which ratepayer may receive payment for any unused electricity.<sup>28</sup> In addition to the Residential ITC decreases to 22% in 2023 and 0% in 2024, residential systems are eligible for the Massachusetts Personal Income Tax Credit.

- **Authority for regulating solar energy systems via zoning** – Policy guidance<sup>29</sup> associated with Model Zoning for the Regulation of Solar Energy Systems<sup>30</sup> issued by DOER states that a Zoning

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<sup>24</sup> Massachusetts Clean Energy Center, Solar Costs Comparison Tool, Accessed March 1, 2022, <https://www.masscec.com/cost-and-performance>

<sup>25</sup> Energy Sage, *Massachusetts solar panels: local pricing and installation data*, Accessed March 1, 2022, <https://www.energysage.com/solar-panels/ma/>

<sup>26</sup> Massachusetts Clean Energy Center, *Solar Financing Options*, <https://www.masscec.com/solar-financing-options>

<sup>27</sup> U.S. Department of Energy Office of Energy Efficiency & Renewable Energy, *Guide to the Federal Investment Tax Credit for Commercial Solar Photovoltaics*, 2021, <https://www.energy.gov/sites/prod/files/2021/02/f82/Guide%20to%20the%20Federal%20Investment%20Tax%20Credit%20for%20Commercial%20Solar%20PV%20-%202021.pdf>

<sup>28</sup> Massachusetts Department of Energy Resources, *Solar Massachusetts Renewable Target (SMART) Program*, <https://www.mass.gov/info-details/solar-massachusetts-renewable-target-smart-program>

<sup>29</sup> Massachusetts Executive Office of Energy and Environmental Affairs, *Policy Guidance for Regulating Solar Energy Systems*, 2014, <https://www.mass.gov/files/documents/2016/08/nh/model-solar-zoning-guidance.pdf>

Bylaw/Ordinance is the appropriate place in which to regulate solar energy systems. The policy guidance notes that solar energy systems are a type of land use and are regulated primarily under Massachusetts General Law (M.G.L.) Chapter 40A Section 3. 40A clarifies that, “No zoning ordinance or by-law shall prohibit or unreasonably regulate the installation of solar energy systems or the building of structures that facilitate the collection of solar energy, except where necessary to protect the public health, safety or welfare.” The proposed amendments do not prohibit solar facilities or unreasonably regulate their installation, rather they clarify and define said facilities and propose a site plan review and standards process.

- **Precedent for solar energy system requirements** – Many municipalities aim to facilitate the installation of solar facilities at new buildings and those undergoing significant renovations. A zoning requirement for solar energy systems have been enacted in the City of Watertown, MA Zoning Ordinance for new, large commercial developments via site plan review;<sup>31</sup> and in the City of Medford, MA Code of Ordinances for new, large residential or nonresidential projects via site plan review.<sup>32</sup> Cambridge, MA Zoning Ordinance Article 22 requires a Net Zero narrative,<sup>33</sup> including a solar-ready roof assessment, and the City plans to introduce a rooftop solar requirement via its Net Zero Action Plan Update.<sup>34</sup> The City of Somerville’s Design Review required by Article 15 of its Zoning Ordinance includes a sustainable and resilient buildings questionnaire through which applicants must attest to sustainability features on the proposed building’s rooftop.<sup>35</sup> Boston’s Article 37 requires that projects undergoing Large Project Review submit a Carbon Neutral Building Assessment and “maximize the potential for onsite solar PV systems.”<sup>36</sup> Lexington, MA’s Integrated Building Design & Construction Policy requires that Town-funded building projects maximize onsite renewable energy production.<sup>37</sup> Wellesley, MA’s Municipal Sustainable Building Guidelines require that developers on Town property explore solar-ready roofs and solar installations when replacing the roof of an existing building.<sup>38</sup>

**Amend SECTION 2 by creating category “Definitions Associated with Solar Energy Systems”.<sup>39</sup>**

Photovoltaic System (also referred to as Photovoltaic Installation): A solar energy system that converts solar energy directly into electricity.

Roof-Mounted Solar Photovoltaic System: A solar photovoltaic system that is structurally mounted to the roof of a building or structure.

Solar Energy System: A device or structural design feature, a substantial purpose of which is to provide for the collection, storage, and distribution of solar energy for space heating or cooling, electricity generation, or water heating.

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<sup>30</sup> Massachusetts Executive Office of Energy and Environmental Affairs, *Model Zoning for the Regulation of Solar Energy System*, 2014, <https://www.mass.gov/files/documents/2016/08/nc/model-solar-zoning.pdf>

<sup>31</sup> City of Watertown, *Watertown, MA Zoning Code*, <https://ecode360.com/37103470#37103470>

<sup>32</sup> City of Medford, *Revised Ordinances of Medford, MA*,

[https://library.municode.com/ma/medford/codes/code\\_of\\_ordinances?nodeId=PTIIREOR\\_CH10BUBURE\\_ARTVISOENSY\\_S10-105DE](https://library.municode.com/ma/medford/codes/code_of_ordinances?nodeId=PTIIREOR_CH10BUBURE_ARTVISOENSY_S10-105DE)

<sup>33</sup> City of Cambridge, *Green Building Requirements Net Zero Narrative*, 2021, [https://www.cambridgema.gov/-/media/Files/CDD/ZoningDevel/GreenBuildings/netzero2021update/netzeronarrativetemplate\\_final.pdf](https://www.cambridgema.gov/-/media/Files/CDD/ZoningDevel/GreenBuildings/netzero2021update/netzeronarrativetemplate_final.pdf)

<sup>34</sup> City of Cambridge, *Cambridge Net Zero Action Plan 2021 Update*, 2021 <https://www.cambridgema.gov/-/media/Files/CDD/Climate/NetZero/2021planupdate/netzeroactionplan5yearupdaterreport.pdf>

<sup>35</sup> City of Somerville, *Sustainable and Resilient Buildings Questionnaire*, 2019, <https://www.somervillema.gov/sites/default/files/somerville-sustainable-and-resilient-buildings-questionnaire.docx>

<sup>36</sup> City of Boston, *Boston Zoning Article 37 - Inter Agency Green Building Committee Zero Carbon Building Assessment*, <http://www.bostonplans.org/getattachment/f0841692-8267-45f8-a652-6ab00f029b2c>

<sup>37</sup> Town of Lexington, *Integrated Building Design & Construction Policy*, 2019, <https://records.lexingtonma.gov/WebLink/0/doc/489144/Page2.aspx>

<sup>38</sup> Town of Wellesley, *Municipal Sustainable Building Guidelines*, 2020, <https://wellesleyma.gov/DocumentCenter/View/17002/2020520-MSBG-Ver27>

<sup>39</sup> Highlighted text indicates changes from the 2022 Annual Town Meeting Draft Zoning Bylaw Amendments published on February 17, 2022.

Solar Ready Building: A building able to carry the installation of a solar energy system on a designated section of the structure following its construction.

Solar Ready Zone: Fifty percent or more of a roof area that is either flat or oriented between 110 and 270 degrees of true north, exclusive of mandatory access or setbacks required by the Massachusetts Fire Code.

Solar Thermal System: A solar energy system that uses collectors to convert the sun's rays into useful forms of energy for water heating, space heating, or space cooling.

## **Amend SECTION 6:**

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### **6.4 Solar Energy Systems**

#### **6.4.1. Requirement for Solar Energy Systems**

A project requiring Environmental Design Review per Section 3.4.2 of this Bylaw shall include a solar energy system that is equivalent to at least fifty percent of the roof area of the building or buildings that are the subject of the review. The Redevelopment Board may require a smaller percentage of the roof area to include a solar energy system when at least fifty percent of the roof area is not viable for a solar energy system.<sup>40</sup> Where a site includes a parking structure, the structure shall also have a solar energy system that covers at least ninety percent of its top level.

The Arlington Redevelopment Board may adopt rules and regulations to specify the information required to be in an application for Environmental Design Review to implement Section 6.4 of this Bylaw.<sup>41</sup>

#### **6.4.2. Exemptions**

A solar energy system on the roof of a building or other structure is not required:

- A. Where there is no solar ready zone or the solar ready zone is shaded for more than fifty percent of daylight hours annually;
- B. For an existing building or building conversion with insufficient structural load capacity;
- C. For a building in a Historic District when the relevant Historic District Commission has denied a certificate of appropriateness, non-applicability, or hardship to allow a solar energy system on the building under the standards and procedures set forth in the Town Bylaws Title VII, Historic Districts;
- D. When an application for an Environmental Design Review is for
  - (1) A change of use alone;
  - (2) An alteration to the façade that does not affect the architectural integrity of the structure per Section 3.4.2 of this Bylaw;
  - (3) Outdoor uses per Section 3.4.2(H) of this Bylaw;
  - (4) Temporary, seasonal signage per Section 3.4.2(I) of this Bylaw; or
  - (5) Sign approval per Section 6.2 of this Bylaw.
- E. When inconsistent with reasonable regulation of religious, non-profit educational, and childcare facilities used primarily for such purposes as set forth in G.L. c. 40A, §3, as implemented by section 3.5 of this Bylaw and the regulations adopted thereunder.

The requirements of this Section may be reduced or waived when the applicant proposes, and the Arlington Redevelopment Board determines there is a better alternative that meets the goals of this Section 6.4.

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<sup>40</sup> This sentence has been added since publication of the February 17, 2022 Zoning Amendments guide.

<sup>41</sup> This Section has been updated since publication of the February 17, 2022 Zoning Amendments guide.

**6.4.3. Location and Safety**

- A. Emergency Access. Solar energy systems shall be mounted to ensure emergency access to the roof, provide pathways to specific areas of the roof, provide for smoke ventilation systems, and provide emergency egress from the roof, as required by the Massachusetts Fire Code.
- B. Safety. A roof-mounted solar energy system shall be located so that it does not result in shedding of ice or snow from the roof onto a porch, balcony, stairwell, or pedestrian travel area.
- C. Solar Energy Systems shall not be counted in determining the height and gross floor area of buildings.

# Proposal: Allow Two Families Everywhere

- **79%** of Arlington's residential land is reserved exclusively for single family homes – nothing else can be built
- We propose allowing two-families to be built by right in these areas; no other changes to lot size, frontage, height, setbacks, or open space requirements
- **Two key reasons:**
  1. Improving environmental sustainability
  2. Increasing housing choice

# Advantages

## **Two Family Zoning is Better for the Environment**

- Smaller homes in shared structures have a lower carbon footprint per person than an equivalent single-family homes. Same land area houses twice as many households.
- More housing in Arlington means living closer to employment centers, public transportation, and existing infrastructure. Less driving means lower carbon emissions and less traffic congestion in the region.

## **Two Family Zoning Increases Housing Choices**

- Single family homes aren't suitable for everyone at all stages in their lives; some people can't afford it, while others may want to downsize but stay in Town. We need more (and more diverse) housing choices

## **Two Family Zoning Improves Affordability**

- When a home gets torn down do we want it replaced with a big single family, or do we want the option of two smaller units?
- Replacing a single family with a two family doubles the housing stock (and increases the tax revenue); the impacts are spread out across Town.

# Doesn't change the neighborhood

## **Not bigger than a single family**

- Because the dimensional regulations don't change, the housing is similar in appearance to others in the neighborhood.
- Non-conforming lot restrictions remain the same—cannot increase the building size without ZBA review.

## **There are already 2 families in R0 and R1 districts**

- These homes already fit in their neighborhoods.

## **Any Change is Going to Be Gradual**

- We have had 27 teardowns a year on average over the last 10 years. Even if this regulation doubled that pace to 54 per year, that is still small relative to the 20K+ homes in Town.

# In Conclusion

It's a simple change that could have a meaningful impact.

It increases housing choices, and encourages sustainable development with minimal change to the neighborhood.



# **Bonus: A Tour of Arlington's Illegal Neighborhoods**

(Two Family Homes are Already Here)

# Summer St.



163-165, 159-161 Summer St.  
Two family homes



463-465, 459-461 Summer St.  
Two family homes

# Westminster Ave



58-58 Westminster Ave (Gray House)  
Two-family tucked in between several single-family



# Park Ave



172-174 Park Ave (two family)  
176 Park Ave (condominums)



176 Park Ave (condominums)  
Single family (conforming) house on right

# Hillside Ave



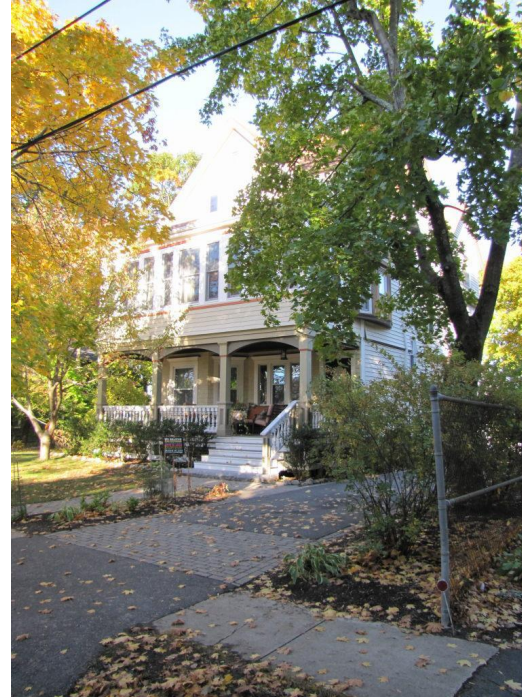
49-51, 45 Hillside Ave  
Each has a pair of condominiums



# Wachusett Ave



13-15 Wachusett Ave  
Condominiums



12 Wachusett Ave  
Two-family

# Newport St.



13-15 Newport St (Condominiums)  
11 Newport St. (two-family)



11, 5-7 Newport St.  
Two-family, condominiums



# Mt. Vernon St.



62-64 Mt. Vernon (condominums)  
66-68 Mt. Vernon (two-family)



72 Mt. Vernon St.  
Three condominiums



# Irving St.



9 Irving St.  
Two condominiums

# Jason St.



37-39 Jason St.  
Two-family



30-32 Jason St.  
Two-family

# Pleasant St



141-143, 137-139 Pleasant St.  
Condominiums

# **Thank you!**

(Prepared by Ben Rudick and Steve Revilak)



## Town of Arlington, Massachusetts

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### Draft ARB Meeting Schedule May through December 2022

#### Summary:

9:30 p.m. • Board members will review and discuss draft meeting schedule through December 2022.

#### ATTACHMENTS:

Type	File Name	Description
Reference Material	Agenda_Item_2_-_Draft_Meeting_Schedule_May_through_Dec_2022.pdf	Draft Meeting Schedule May through Dec 2022



## ARLINGTON REDEVELOPMENT BOARD

TOWN HALL ARLINGTON, MASSACHUSETTS 02476

TELEPHONE 781-316-3090

### **May – December 2022 Meeting Schedule**

In general, the ARB meets on the 1<sup>st</sup> and 3<sup>rd</sup> Monday at 7:30 p.m. of every month. Monday holidays or other events may cause this schedule to change. If there are no pressing agenda items, meetings may be cancelled.

May 2 (Town Meeting)

May 16 (Town Meeting may be in session)

May 23

April 7

June 6

June 20

August 1

August 15

September 12

September 26

October 3

October 17

November 7

November 21

December 5

December 19